

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

v.

VENOY LEE OVERTON,

Defendant.

No. 11-1-05976-2 KNT

INFORMATION

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse VENOY LEE OVERTON of the crime of **Promoting Prostitution in the Second Degree**, committed as follows:

That the defendant VENOY LEE OVERTON in King County, Washington, during a period of time intervening between May 18, 2011 through May 20, 2011, did knowingly advance and profit from the prostitution of C.E.R.;

Contrary to RCW 9A.88.080(1)(b), and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington further do accuse the defendant VENOY LEE OVERTON at said time of committing the above crime against a family or household member; a crime of domestic violence as defined under RCW 10.99.020.

DANIEL T. SATTERBERG  
Prosecuting Attorney

By: 

Sean P. O'Donnell, WSBA #31488  
Senior Deputy Prosecuting Attorney

INFORMATION - 1

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CAUSE NO.

11-05976-2 KMT

**CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE**

That Lovisa Dvorak is a Police Officer with the Kent Police Department and has reviewed the investigation conducted in Kent Police Department case number **#11-5815**

There is probable cause to believe that **Venoy Lee Overton (10-24-88)** committed the crime of, **Promoting Prostitution in the 2<sup>nd</sup> Degree RCW 9A.88.080**

This belief is predicated on the following facts and circumstances:

On 05/20/11, Sgt Grove and I were working in a plain clothes capacity in an unmarked vehicle. We were conducting surveillance along Pacific Highway S, an area well known for its high volume of prostitution activity. Our original operation was to attempt to locate and recover a 14 year old girl who had runaway and was suspected of being manipulated or forced into prostitution by an adult pimp.

Throughout my training and experience, I have become accustomed to identifying potential prostitutes, promoters (pimps), and 'John's' (term used for men who solicit prostitutes and pay for sex acts), by recognizing certain clothing trends and styles, body language, patterns of foot and vehicle travel, and communication styles.

At approximately 2200 hours, we observed a young looking female, later identified as an 18 year old adult (CER), standing in the Chevron parking lot located at 23845 Pacific Hwy S. CER was wearing tight black leggings, a black jacket, and flat sandal type shoes. She was speaking with a male subject in front of the business in a parking stall.

Given the time of day, the location, her clothing, the interaction she was having with the other suspect, Sgt. Grove and I suspected that CER may be engaging in prostitution. We decided to continue our surveillance. After approximately 15-20 minutes, the two subjects walked towards Pacific Hwy and stood on the sidewalk. CER was looking around and appeared nervous. She would begin to walk away from the male and then turn around and walk back towards him. Eventually she walked southbound, crossed the highway, and began walking northbound along Pacific Hwy S. At the same time, the male walked the opposite direction away from Pacific Hwy. Based on my training and experience, I know this is typical behavior for girls and young women who are engaging in prostitution; the common phrase for this conduct is to "walk the track."

At this time, Sgt Grove and I decided he would attempt to contact CER in an undercover capacity posing as a "John." I watched CER walk from the sidewalk and approach Sgt Grove in the parking lot without being summoned. During their conversation, CER agreed to perform a sex act on Sgt. Grove for \$200. Once the agreement was made, CER got into the backseat of our vehicle and we identified ourselves as the police. CER was advised of her Miranda Warnings in which she waived.

During the initial interview and a follow up interview including a taped statement, CER disclosed the following:

She told us she was new to prostitution and had only been walking the track for the past three nights. She said it was her boyfriend's idea and stated he had "pushed" her to do it despite her telling him she didn't want to. She identified her boyfriend as Venoy Overton and said he was a basketball player for the University of Washington.

CER said she met Overton sometime in September, 2010 and they exchanged phone numbers. They didn't enter into an actual dating relationship until sometime around Thanksgiving. CER told me she believed they have been in a monogamous relationship for the past 3-4 months. Cell phone records for Overton obtained through search warrants show an initial phone call between the two in September 2010, with the call number and frequency increasing significantly in November 2010 through June 2011.

On 5/18/11 CER called Overton crying because she was upset about not making enough money at a part time job she held. CER said she gives half of her earnings to Overton, who is not employed. CER explained when she is not making any money Overton is not making any money. Early in their relationship, Overton had promised CER that if she took care of him financially, he would take care of her once he made it to the NBA.

When she met up with Overton on 5/18/2011, he told her he was going to take her to the "track" (term referring to designated areas, streets/sidewalks, where prostitution is known by participating parties to occur) and said "you're gonna try walkin." CER told me she knew what Overton was talking about because he had previously suggested she engage in prostitution as a means of earning money.

Overton told her he knew a "hot track" and drove her to Pacific Hwy S in Kent. CER described Overton's car as a "UW purple" colored Chevy Caprice with rims and tinted windows. DOL records confirm Overton owns a 1995 Chevy Caprice bearing Washington License plate 625VLO. Det J. Johnson later located and photographed this vehicle at Overton's address and confirmed it matches the description provided by CER.

Overton brought CER to the Burger King at S 232 St on Pacific Hwy S and instructed her to walk south to the Chevron at S 240 St. During this time, CER expressed to Overton she did not want to "walk" and Overton told her it was an easy way to make money. He told her she won't have to do it anymore once he makes it in the "league" (NBA or oversees basketball league).

CER told Overton nobody was going to want to pick her up because she isn't attractive. Throughout our conversations, CER repeatedly explained she has insecurities about her appearance. Overton told her she didn't know what she was talking about and assured her someone as hot as her would be picked up right away. He continued to compliment her and assure her she would get picked up. She said Overton encouraged her to try and it and told her to just trust him and see what happens. It should be noted, pimps often seek out vulnerable and insecure female victims, knowing they can be easily manipulated by feeding their desires to be loved and feel attractive. Furthermore, it is a common tactic used by pimps to challenge such

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victims to see if they can get picked up. CER told me she finally gave in to Overton's pressure and said she went out on the track to prove him wrong.

CER stated Overton instructed her to get the money from the "trick" (term used for male client who pays for sex) before she had sex with him. He also told her how much money to charge for sex acts, advising her of the "going rates." He told her to watch out for the police, specifically exeimpt and WSP plates, and told her if they contacted her she did not have say anything to them.

When CER got out of Overton's vehicle she said she was "scared shitless" and practically ran to the Chevron as directed. When she got there, she called Overton to pick her up as instructed. Overton told her she wasn't supposed to walk so fast. When Overton picked her up he initially told her she needed to get out and try it again because she didn't do it right by not walking at a normal pace. When she refused, he told her it was late, she estimated around 0100 hours, and she really needs to be getting out there earlier. She said Overton told her "its okay you just need to get used to it," and she just needs to get her first "trick" out of the way and it will get easier.

On 05-19-11, CER met Overton at Franklin High School where they shot baskets before Overton told her she was going to try walking the track again. When CER told him she didn't want to go out there again because it was scary. Overton told her he knows it is scary but once she got her first "trick" out of the way she would realize how easy it is to make quick money. He also told her he would do it for her if he could, and continued to pressure her telling her he needed money.

Overton dropped CER off at the same Burger King in Kent and again instructed her to walk to the Chevron. He instructed her to walk slow and sexy this time and told her when guys stop to talk to her to ask them what they wanted. CER said Overton made it very clear to her she was out there to get money for giving "blowjobs" and having sex.

CER told me she was picked up by a "John" who paid her \$200 for sex. Afterwards, the "John" dropped her off at the Chevron where Overton picked her up. When she got in Overton's car he was excited and told her good job and he was proud of her. Providing praise is a common tactic used by pimps, reinforcing the victims desire to continue to seek their acceptance and approval.

Overton asked her for his money and she gave him \$100. CER told me this was one of the most degrading things she has ever experienced. She said Overton used the money to fill his gas tank and buy a cigar. Ofc Lewis later obtained video surveillance from the Chevron around 0044 hours. This video clearly shows Venoy Overton and CER at the front counter and Overton purchasing a cigar with cash.

On 05/20/11, Overton told CER they were going to go back to the track telling her he wanted her to get used to walking the track. CER said she continued to tell Overton she didn't want to do it and tried to come up with excuses not to get out of the car. She said Overton told her "what you're doing for me now, I'm gonna make up for ten fold in the future."

He again dropped her off at the Burger King. This time Overton told her he wanted her to get at least two "tricks" this time before she called him to pick her up. It should be noted, it is common for promoters/pimps to set a daily "trick" or dollar quota for their victims before they will pick

them up or they can retire for the night. It is also common for the pimp to gradually increase the quota as a challenge to make the victim feel more successful and valuable. At the same time, the pimp is increasing his income.

CBR stated when she was at the Chevron on 05/20/11, a black male contacted her in the parking lot. She did not know the man, and thought he was a pimp. During their conversation, she thought he was trying to recruit her. He asked her if she had a "daddy" (slang name for pimp) and she said yes, her boyfriend. This interaction as described by CBR was consistent with my observations that night. Through my training and experience, I know that it is common for pimps to recruit females along this stretch of Pacific Hwy S.

During our initial contact with CBR on May 20, 2011, she granted us permission to look through her cell phone. I observed numerous texts between her and a contact titled "Venoy Overton." Kent Police have obtained cell records for Overton and this phone number is confirmed to be registered to him.

One of the text messages sent from Overton to CBR instructed her to walk sexy and another stated "go get it babo." She told me she was walking the track when she received these text messages and believed he was in the area watching her. CBR sent a text to Overton stating "This is scary shit." Overton's next reply stated "Ya bout you got the mouth for it...."

On 05/19/11, CBR sent a text to Overton telling him a "trick" was asking about where to meet her. Overton replied telling her to ask what is best for him. Another text from Overton read "Yea boy. Right when u got out they was on u." CBR told me Overton sent her that text a few minutes after she got out of the car and started walking the track.

On 05/20/11, while making plans to meet up, Overton sent CBR a text stating "OK we gonna go by the track." She replies "Now?" and he then replies "Like 630." Ofc Lewis and I later obtained video surveillance from the Burger King of Overton and CBR beginning around 1810 hours on this same date. This is consistent with CBR's account that they ate at Burger King before he dropped her off to walk the track. CBR said her stomach was upset because she was so nervous she said couldn't eat. In the video, CBR is seen returning to the car after only being in the restaurant a short period of time and not ordering any food.

Also located on CBR's phone, was a picture Overton sent from his phone. Overton is shirtless and was wearing purple basketball shorts. Overton appears to be taking the picture with his cell phone using a gym mirror.

According to CBR, Overton's friend [REDACTED] rode with them each time Overton took her to the track. CBR said they would meet up at [REDACTED] residence where she would leave her car and Overton would drive her to Kent. She told us one occasion when she didn't want to get out of the car, Overton told her "bitch just get out there and see if you can make some money." CBR said Marcell kept telling her to do what Overton says and go make him some money.

CBR told us she is in love with Overton despite stating the way Overton talked to her and pushed

her into prostitution. She said Overton knows she would do anything for him and knew she would break down if he continued pushing her. When asked why Overton would want his girlfriend working as a prostitute, CER said Overton is motivated by money. CER said they argued about him wanting to her to have sex with men for money and Overton continued to promise her she would only have to do it until he got a basketball contract. He assured her they wouldn't be hurting for money once he makes it pro.

After our initial contact on 5/20/2011, I noticed CER had surreptitiously deleted several of the text messages I had previously observed exchanged between her and Overton that night. The deleted messages included those that Overton sent to CER when she was walking the track. She later admitted to deleting these text messages to protect Overton. Based on my training and experience in working with sex trafficking victims, it is common for victims to attempt to protect their pimps through various means, including destroying evidence and blaming themselves for their pimp's conduct.

On 06-16-11, Kent Officers located and arrested Overton for Promoting Prostitution in the 2<sup>nd</sup> Degree. Ofc Lewis and I interviewed Overton at the Kent jail. Ofc Lewis advised Overton of his Miranda Warnings which he waived. During the initial interview and taped statement Overton told us the following:

Overton told us he met CER in September of 2010 through some friends. He admitted to having a sexual relationship with her but denied she was his girlfriend. Overton told us CER was in love him and she probably believed she was his girlfriend. He later stated "I guess she could be considered my girlfriend."

Overton told us when he met CER he told her "if you wanna talk to me you gotta give me some money or something." According to Overton, CER started giving him money a week after they met. He told us she gave him no more than \$100 at a time but stated she gave him money on a consistent basis. Overton estimated CER has given him around \$3000 during their relationship. He told us she would give him money because he would ask for it and complain. Overton told us it was "basically" expected for CER to give him money.

Overton told us CER called him from work one night upset about not making enough money. He said CER told him she wanted to go to the "track." Overton said he encouraged her to stay at work and initially tried to talk her out of it. He then told her "I guess we could make some money." Overton told her if she really wanted to go the "track" she should meet him at Marcell's house. He told her if she wanted to make some money on the "track" he knew where she could and told her he would take her to a track down south.

Overton said he drove CER to the Chevron on Pacific Hwy S in Kent. Overton said he told CER to "just walk" and "hit me up when you're done." According to Overton, CER asked him how much money she should charge and he told her \$100-\$150. Overton told us he told her to "go try," and told her to "good luck and be safe," when she got out of the car.

Overton said CER ended up "turning a trick," that night. When asked to explain, Overton said she found a guy who wanted to pay her for sex. Overton said CER sent him a text informing the

guy was going to pay her \$200. Overton said after she was done she called him and he picked her up at the Chevron. He told us CER gave him \$60 dollars of her earnings. When asked why she gave him \$60, Overton said it was for gas and the ride. Overton told us he agreed to take CER to the "track" because he knew he was going to get some money. He told us he told CER, "you gotta at least give me some cash money."

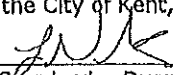
According to Overton, CER wanted to go back to the "track" around 6:30 pm the next night. He explained this was the night she got arrested. Overton told us he agreed to take her but not so early. Overton told us later that night he brought CER to the Burger King at Kent Des Moines Rd where they ate and he dropped CER off to walk the track. Overton said he didn't hear from CER for several hours until she called him and told him she got picked up by an undercover officer. She asked him to pick her up from the Burger King.

Overton admitted he responded to pick CER up from the Burger King. He told us he believed he was getting "set up" so he drove his "baby momma's," car and parked across the street. Overton told us he had Marcell walk across the street to pick her up. When asked why he believed he was being set up, Overton told us because he drove her out to the "track."

Overton told us he knew what he did was wrong and stated he screwed up. When asked why he chose to do it if he knew it was wrong, Overton said "I'm not gonna turn down money from a girl."

This incident occurred within the City of Kent, County of King and the state of Washington.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this 17 day of June, 2011, at the City of Kent, King County, Washington.

  
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Officer Lovisa Dvorak

Certification for Determination  
Of Probable Cause

Dan Satterberg  
Prosecuting Attorney  
W.554 King County Court  
Seattle, Washington.

1  
2 CAUSE NO. 11-1-05976-2 KNT

3 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR  
4 CONDITIONS OF RELEASE

5 The State incorporates by reference the Certification for Determination of Probable  
6 Cause written by Det. Lovisa Dvorak in Kent Police Department Incident No. 11-5815 and  
7 signed on June 17, 2011.

8 REQUEST FOR BAIL

9 The State requests bail in the amount of \$150,000 pursuant to CrR 2.2(b)(2)(i), (iii) and  
10 (iv). The defendant has admitted to both advancing and profiting from an 18-year-old woman's  
11 prostitution activities. The danger to the victim when walking "the track" (the term commonly  
12 used to refer to areas of high prostitution) cannot be sanitized. The defendant exploited his  
13 relationship with this young woman for a simple reason: money. It is clear from his interview  
14 with detectives that money was a primary motivator to the defendant and that he took minimal  
15 account of the risks the victim faced. This presents a danger to other young women or girls with  
16 whom the defendant may associate.

17 The defendant's prior efforts to manipulate the victim also demonstrate a propensity for  
18 him to engage in potential tampering or intimidation of the victim during the pendency of this  
19 case. The defendant has shown in his statements to detectives that he has a callous disregard for  
20 the victim's safety or, for that matter, her feelings.

21 The State is also concerned about the defendant's opportunity and ability to flee the  
22 jurisdiction. He is a former college basketball player which has led, by his own account, to  
23 offers to play professionally overseas. The State would request that this Court order the  
24 surrender of his passport and restrict his travel to within the State of Washington.

The defendant has no adult or juvenile felony convictions.

Signed this 17<sup>th</sup> day of June, 2011.

  
Sean P. O'Donnell, WSBA #31488